IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

M.F., a Minor, by and through his Father,	§
MICHAEL FISHER, and his Mother,	§
KATHERINE FISHER,	§
	§
Plaintiff,	§ CIVIL ACTION NO. 4:23-CV-01102-O
	§
v.	§
	§
CARROLL INDEPENDENT SCHOOL	§ JURY TRIAL DEMANDED
DISTRICT, et al.	§
	§
Defendants.	§

CISD DEFENDANTS' RESPONSE TO CITY DEFENDANTS' MOTION TO MODIFY SCHEDULING ORDER AND REQUEST FOR EXPEDITED RULING

Defendants Carroll Independent School District ("CISD") and Whitney Wheeler in her capacity as Principal of Durham Intermediate School ("Principal Wheeler") and Kim Ray in her capacity as Assistant Principal and Campus Behavior Coordinator of Durham Intermediate School (collectively, the "CISD Defendants") file this Response to Defendant City of Southlake and Defendant Adrian Wormley's (collectively, the "City Defendants") Partially Unopposed Motion to Modify Scheduling Order and Request for Expedited Ruling (ECF No. 63, the "Motion") in accordance with the Court's February 13, 2024 Order (ECF No. 64) asking them to "indicat[e] whether they are opposed to any part of the Motion." ECF No. 64 at 2.

I. RESPONSE

In light of the Court's order granting Plaintiff's Motion for Leave to File a Third Amended Complaint (ECF No. 56), the CISD Defendants have no opposition to the relief requested by the City Defendants.

The CISD Defendants join the City Defendants in requesting that the Court order all parties

to confer and submit a joint status report (preferably on or before March 23, 2024 so as to not further delay case resolution).

The CISD Defendants also join the City Defendants in requesting that, *after the parties* submit their joint status report so as to not interrupt the remaining two days of discovery, the Court stay all discovery pending resolution of the individual defendants' qualified immunity defenses.

The CISD Defendants separately request that in ordering the parties to confer and submit a joint status report, the Court indicate that no modification of the trial date shall extend more than four months beyond the current setting: June 17, 2024. Guidance as to the Court's preferred trial date will help the parties come to an effective agreement on intervening deadlines.

Respectfully submitted,

/s/ Timothy Davis

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ATTORNEYS FOR CISD DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2024, a copy of the foregoing document was electronically filed. Notice of this filing will be sent to counsel of record for all parties by operation of the Court's Electronic Filing System.

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ATTORNEY FOR CITY DEFENDANT	DANT	JD.	DEFEN	CITY	FOR	ATTORNEY
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/s/ Allison Allman	
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